

COUNTY OF THORHILD NO. 7

BY-LAW 1040-2003

**A BY-LAW TO PREVENT LITTERING FROM THE OPERATIONS OF
LANDFILL SITE, TRANSFER STATION OR FROM A VEHICLE
TRANSPORTING TO THESE SITES.**

WHEREAS

The Council of the County of Thorhild No. 7 wishes to control litter from landfills, transfer stations and vehicles;

THEREFORE

Be it resolved that the County of Thorhild No. 7 enact the following:

1. In this By-law, the following terms shall have the following meanings:

a) "County" shall mean the County of Thorhild No. 7;

b) "Highway" shall have the same meaning as defined in the *Highway Traffic Act*, R.S.A. 1980, c.H-7, as amended;

c) "Waste" shall mean:

(i) any solid or liquid material or product or combination thereof, including but not limited to:

(A) rubbish, refuse, garbage, paper, packaging, containers, bottles, cans, manure, human or animal excrement, sewage, or the whole or a part of an animal carcass, or

(B) the whole or part of any article, raw or processed material, vehicle or other machinery that is disposed of; and

(ii) any other thing that is designated as waste in the regulation to the Environment Protection and Enhancement Act, R.S.A. 1992, c. E13.3 as amended.

2. No person operating a landfill within the County shall dispose of waste, or allow waste to escape by any means, from those lands to any other lands, without permission of the owner of those lands.

3. In the event a person has contravened Clause 2 of this By-law, the person may receive an Order to take such action to remedy the contravention within forty-eight (48) hours of the date of service of the Order.

4. Any person who has contravened Clause 2 of this By-law and who has failed to comply with the terms of the Order issued in accordance with Clause 3 of this By-law, is guilty of an offence and liable on summary conviction to a fine, for an individual, of not more than five hundred (\$500.00) dollars, and for an corporation, of not more than one thousand (\$1,000.00) dollars, for each day the offence occurs or continues.

5. No person operating a waste transfer site on land zoned P.W.T.S. shall dispose of waste, or allow waste to escape by any means, from those lands to any other lands.

6. In the event a person has contravened Clause 5 of the By-law, the person may receive an Order to take such action to remedy the contravention within the forty-eight (48) hours to the date of service of the Order.

13.

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7. Any person who has contravened Clause 5 of the By-law and who has failed to comply with the terms of the Order issued in accordance with the Clause 6 of this By-law, is guilty of an offence and liable on summary conviction to a fine, for an individual, of not more than five hundred (\$500.00) dollars, and for a corporation, of not more than one thousand (\$1000.00) dollars, for each day the offence occurs or continues.
8. No person shall transport waste in or on a vehicle on a highway within the County unless the waste is adequately contained, secured or covered to prevent it from falling off, spilling or being blown off the vehicle.
9. Any person who has contravened Clause 8 of this By-law is guilty of an offence and liable on summary conviction to a fine of not more than five hundred (\$500.00) dollars.
10. No person shall dispose of waste on a highway except in a container placed for the purpose of collecting it.
11. If waste is disposed of from a vehicle other than a bus or taxi, and it cannot be determined which of two or more occupants of the vehicle transporting the waste is responsible for the disposal, the operator of the vehicle is deemed to be the person who disposed of the waste.
12. Any person who has contravened Clause 10 of this By-law, and in accordance with Clause 11 of this By-law, is guilty of an offence and liable on summary conviction to a fine of not more than five hundred (\$500.00) dollars.
13. This By-law should be referred to as the "Litter By-law".
14. If any provision of this By-law is declared or held to be invalid, that provision shall be deemed to be severed and the remainder of the By-law shall remain in force and effect.

This Bylaw comes into effect on the day of final reading

READ A FIRST TIME IN COUNCIL THIS 30th DAY OF July 2003.

READ A SECOND TIME IN COUNCIL THIS 1st th DAY OF August 2003.

UNANIMOUSLY AGREED TO PRESENT BY-LAW 1040 -2003 FOR THIRD
READING

READ A THIRD TIME AND FINALLY PASSED THIS 12th DAY OF August
2003.

COUNTY OF THORHILD NO. 7
COUNTY COUNCIL


REEVE


COUNTY MANAGER